

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PAUL YAHNE,

Plaintiff,

v.

WASHINGTON STATE PATROL, et al.,

Defendants.

CASE NO. C13-5923 BHS

ORDER GRANTING
APPLICATION TO PROCEED
IN FORMA PAUPERIS AND
DIRECTING SERVICE
BY CLERK

This matter comes before the Court on Plaintiff's application to proceed in forma pauperis. Dkt. 1. The Court has reviewed the application and the remainder of the file and finds that Plaintiff is unable to afford to pay the filing fee at this time. Accordingly, Plaintiff's application to proceed in forma pauperis is GRANTED.

The Court, having reviewed Plaintiff's complaint, does hereby ORDER as follows:

1. Service by Clerk

The clerk is directed to send the following to Defendant by first class mail: a copy of Plaintiff's complaint, a copy of this order, two copies of the Notice of Lawsuit and

1 Request for Waiver of Service of Summons, a Waiver of Service of Summons, and a
2 return envelope, postage prepaid, addressed to the Clerk's Office.

3 **2. Response Required**

4 Defendant shall have **thirty (30) days** within which to return the enclosed waiver
5 of service of summons. A defendant who timely returns a signed waiver shall have **sixty**
6 **(60) days** after the date designated on the notice of lawsuit to file and serve an answer to
7 the amended complaint or a motion permitted under Rule 12 of the Federal Rules of Civil
8 Procedure.

9 A defendant who fails to timely return a signed waiver will be personally served
10 with a summons and complaint, and may be required to pay the full costs of such service,
11 pursuant to Rule 4(d)(2). A defendant who has been personally served shall file an
12 answer or motion permitted under Rule 12 within **thirty (30) days** after service.

13 **3. Filing and Service by Parties, Generally**

14 All original documents and papers submitted for consideration by the Court in this
15 case are to be filed with the Clerk of this Court. The papers shall be accompanied by
16 proof that such documents have been served upon all parties that have entered a notice of
17 appearance in the underlying matter.

18 **4. Motions**

19 Regarding the filing of motions before the Court, the parties are directed to review
20 Local Rule CR 7 in its entirety. A few important points are highlighted below:

21 Any request for Court action shall be set forth in a motion, properly filed and
22 served. Pursuant to amended Local Rule CR 7(b), any argument being offered in support

1 of a motion shall be submitted as a part of the motion itself and not in a separate
2 document. The motion shall include in its caption (immediately below the title of the
3 motion) a designation of the date the motion is to be noted for consideration upon the
4 Court's motion calendar.

5 **5. Direct Communications with District Judge**

6 No direct communication is to take place with the District Judge with regard to
7 this case. All relevant information and papers are to be directed to the clerk.

8 Dated this 21st day of October, 2013.

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11 BENJAMIN H. SETTLE
12 United States District Judge
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